

DAC
#3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)

) Atty. Docket 43406.22.2
)
)

Serial No. 09/866,454)

Filed: 5/25/2001)

For: SYSTEM AND METHOD)
OF PERMISSIVE DATA FLOW)
AND APPLICATION TRANSFER)

Certificate of Mailing	
I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail, postage prepaid, and in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on	
Jan. 16, 2002	
1/16/02	Deborah Maday
Date	Signature

~~BOX MISSING PARTS~~
Assistant Commissioner
for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS
AND REQUEST FOR CORRECTED FILING DATE

RECEIVED
FEB 05 2002
OFFICE OF PETITIONS

SIR:

This is responsive to the Notice to File Missing Parts mailed 08/16/2001. Enclosed is the Declaration and Power of Attorney, along with a check for \$1,591 for filing and extension fees (small entity: \$370 filing fee, \$336 for 8 independent claims over 3, \$360 for 40 total claims over 20, \$65 surcharge, and \$460 3-mo. extension fee). Also enclosed are 64 sheets of formal drawings. Enclosed is an Abstract, in response to the Notice to File Missing Parts. Please amend the application to add the Abstract as a new page to the end of the application. Enclosed also is a copy of the Notice to File Missing Parts, as required. It is believed that applicant has complied with all requirements set forth in the Notice to File Missing Parts.

Enclosed is a copy of the Official Filing Receipt which lists a filing date of May 26, 2001 for the instant application. Enclosed is a copy of applicant's Express Mail Receipt for the filing of this application. Although the "date in" was incorrectly written in by the postal clerk, the official round date applied by the Post Office is correctly stamped as "May 25, 2001." Also enclosed is a copy of the paid receipt issued by the Post Office, further evidencing deposit of the application on May 25, 2001. Accordingly, applicant respectfully requests that the filing date in

RECEIVED
FEB 04 2002
OFFICE OF PETITIONS

this application be corrected to May 25, 2001. It is also courteously requested that the Office issue a corrected Filing Receipt. It is not believed that any petition or petition fee is required for this correction. However, the Office is requested to treat this communication as such a petition, if necessary, and to charge any required petition fee to our Deposit Account No. 061910.

Respectfully submitted,



Thomas L. McMasters
Reg. No. 45,593
FREDRIKSON & BYRON, P.A.
1100 International Centre
900 Second Avenue South
Minneapolis, MN 55402-3397
(612) 347-7087

Dated: 1/16/02

::ODMA\PCDOCS\FBDOCS\2605701\1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/866,454	05/26/2001	James L. Rice III	43406.22.2

CONFIRMATION NO. 4122

FORMALITIES LETTER



OC00000006437517

Thomas L. McMasters
Fredrikson & Byron, P.A.
1100 International Centre
900 Second Avenue South
Minneapolis, MN 55402-3397

Date Mailed: 08/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1360.
 - \$720 for 40 total claims over 20.
 - \$640 for 8 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2200.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

RECEIVED

FEB 04 2002

OFFICE OF PETITIONS

02/04/2002 CCHAU1 00000064 09866454
02 FC:201
03 FC:203
04 FC:202
05 FC:205
370.00 OP
360.00 OP
336.00 OP
65.00 OP

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

EP

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

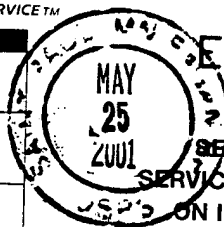
POST OFFICE TO ADDRESSEE



Customer Copy
Label 11-F July 1997

ORIGIN (POSTAL USE ONLY)

PO ZIP Code 55121	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In 5 26 01	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	Postage \$
Time In 11:48	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight 1 lbs. 9 ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input checked="" type="checkbox"/> Weekend <input checked="" type="checkbox"/> Holiday	Acceptance Clerk Initials ME	Total Postage & Fees \$ 16.00



SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

CUSTOMER USE ONLY

METHOD OF PAYMENT: Express Mail Corporate Acct. No. X554304	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and authorize that delivery employee's signature constitutes valid proof of delivery.
Federal Agency Acct. No. or Postal Service Acct. No.	NO DELIVERY <input checked="" type="checkbox"/> Weekend <input checked="" type="checkbox"/> Holiday

FROM: (PLEASE PRINT) PHONE 612, 347-7087
FREDRIKSON & BYRON, PA
1100 INTERNATIONAL CTR
900 2ND AVE S
MINNEAPOLIS MN 55402-3397
THOMAS L. McMASTERS
43406.22.2

TO: (PLEASE PRINT) PHONE
Assistant Commissioner
for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.gov



METRO PM
EAGAN, Minnesota
551219998
05/25/2001 (800)275-8777 11:48:36 PM

Product Description	Sale Qty	Unit Price	Final Price
WASHINGTON DC 20231			\$16.00

Express Mail PO-ADD
Serial Number EL486371611US
2nd day 3PM /No
Weekend or Holiday
Delivery
Paid by account: \$16.00
EMCA account number: 554304

Total: \$0.00

Paid by:

Bill #: 1000300153300
Clerk: 17

Thank you for your business

RECEIVED

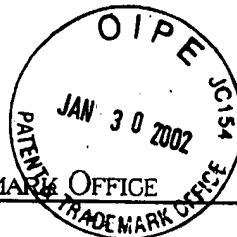
FEB 05 2002

OFFICE OF PETITIONS

RECEIVED
FEB 04 2002
OFFICE OF PETITIONS



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/866,454	05/26/2001 5/26/2001	2163	0.00	43406.22.2	56	60	11

Received Intellectual
Property Department

AUG 20 2001

CONFIRMATION NO. 4122

FILING RECEIPT



OC00000006437516

Thomas L. McMasters
Fredrikson & Byron, P.A.
1100 International Centre
900 Second Avenue South
Minneapolis, MN 55402-3397

Date Mailed: 08/16/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James L. Rice III, Minneapolis, MN;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF PCT/US00/24719 09/08/2000
AND CLAIMS BENEFIT OF 60/152,721 09/08/1999
AND CLAIMS BENEFIT OF 60/152,756 09/08/1999
AND CLAIMS BENEFIT OF 60/193,599 03/31/2000

Foreign Applications

If Required, Foreign Filing License Granted 08/16/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

System and method of permissive data flow and application transfer

Preliminary Class

checked
8-20-01
DLH

Small Entity

1. *Journal of the American Medical Association*, 1997; 278: 1019-1024.

Team : OIPE

Date: 08/16/2001

[illegible]

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231